

ASSEMBLY BILL

No. 662

Introduced by Assembly Member Bonilla

February 24, 2015

An act to amend Section 19954.5 of, and to add Section 19952.5 to, the Health and Safety Code, relating to public accommodation.

LEGISLATIVE COUNSEL'S DIGEST

AB 662, as introduced, Bonilla. Public accommodation: disabled adults: changing facilities.

The federal Americans with Disabilities Act of 1990 and the California Building Standards Code require that specified buildings, structures, and facilities be accessible to, and usable by, persons with disabilities. Existing law requires, among others, any person who owns or manages a place of public amusement and resort to provide seating or accommodations for physically disabled persons in a variety of locations within the facility, as specified. Existing law authorizes the district attorney, the city attorney, the Attorney General or, in certain instances, the Department of Rehabilitation acting through the Attorney General, to bring an action to enjoin a violation of prescribed requirements relating to access to buildings by disabled persons.

This bill would require a commercial place of public amusement that serves over 1,000 people on a daily basis constructed on or after January 1, 2019, or that renovates a bathroom on or after January 1, 2029, to install and maintain at least one adult changing station, as defined, for a person with a physical disability, as specified. The bill would also make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 19952.5 is added to the Health and Safety Code, to read:

19952.5. (a) (1) A commercial place of public amusement that serves over 1,000 people on a daily basis shall install and maintain at least one adult changing station for persons with a physical disability that is accessible to both men and women if the facility is open to the public. Each station shall include signage at or near the entrance to the station indicating the location of the adult changing station. If there is a central directory identifying, for the benefit of the public, the location of offices, restrooms, and other facilities in the building, that central directory shall indicate the location of the adult changing station.

(2) Subdivision (a) applies to all new construction on or after January 1, 2019, and to all renovations of bathrooms on or after January 1, 2029, if a permit has been obtained or the estimated cost of the renovation is ten thousand dollars (\$10,000) or more.

(b) For purposes of this section, the following shall apply:

(1) “A commercial place of public amusement” includes an auditorium, convention center, cultural complex, exhibition hall, permanent amusement park structure, sports arena, or theater or movie house.

(2) “Adult changing station” means an adult changing table placed within an enclosed restroom facility.

(3) “Physical disability” means a mental or physical disability, as described in Section 12926 of the Government Code.

SEC. 2. Section 19954.5 of the Health and Safety Code is amended to read:

19954.5. If a violation of Section 19952, 19952.5, 19953, or 19954 is alleged or the application or construction of any of these sections is in issue in any proceeding in the Supreme Court of California, a state court of appeal, or the appellate division of a superior court, each party shall serve a copy of the party’s brief or petition and brief, on the State Solicitor General at the Office of the Attorney General. ~~No~~ A brief may *not* be accepted for filing unless the proof of service shows service on the State Solicitor General. Any party failing to comply with this requirement shall be given a reasonable opportunity to cure the failure before the court imposes any sanction and, in that instance, the court shall

- 1 allow the Attorney General reasonable additional time to file a
- 2 brief in the matter.

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